

memorandum of understanding is complete; and

(7) not be granted to an Indian Tribe on State lands without the consent of the relevant State.

(f) LIMITATION.—Nothing in this section permits a State or Indian Tribe to assume—

(1) any rulemaking authority of the Secretary concerned under any Federal law; and

(2) Federal Government responsibilities for government-to-government consultation with Indian Tribes.

(g) TERMINATION.—

(1) TERMINATION BY THE SECRETARY.—The Secretary concerned may terminate the participation of any State or Indian Tribe in the program established under this section if—

(A) the Secretary concerned determines that the State or Indian Tribe is not adequately carrying out the responsibilities assigned to and assumed by the State or Indian Tribe;

(B) the Secretary concerned provides to the State or Indian Tribe—

(i) notification of the determination of noncompliance; and

(ii) a period of at least 30 days during which to take such corrective action as the Secretary concerned determines is necessary to comply with the applicable agreement; and

(C) the State or Indian Tribe, after the notification and period provided under subparagraph (B), fails to take satisfactory corrective action, as determined by the Secretary concerned.

(2) TERMINATION BY THE STATE OR INDIAN TRIBE.—A State or Indian Tribe may terminate the participation of the State or Indian Tribe in the program established under this section at any time by providing to the Secretary concerned a notice of intent to terminate by not later than the date that is 90 days before the date of termination.

(3) TERMINATION OF MEMORANDUM OF UNDERSTANDING WITH STATE OR INDIAN TRIBE.—A State or an Indian Tribe may terminate a joint memorandum of understanding under this section at any time by providing to the Secretary concerned a notice of intent to terminate by no later than the date that is 90 days before the date of termination.

#### SEC. 41304. FEDERAL BROADBAND PERMIT COORDINATION.

(a) ESTABLISHMENT.—The Secretary concerned shall establish a broadband permit streamlining team comprised of qualified staff under subsection (b)(4) in each State or regional office that has been delegated responsibility for issuing permits for broadband projects.

(b) MEMORANDUM OF UNDERSTANDING.—

(1) IN GENERAL.—Not later than 90 days after the date of enactment of this Act, the Secretary concerned, in consultation with the National Conference of State Historic Preservation Officers and the National Tribal Historic Preservation Officers Association, shall enter into a memorandum of understanding to carry out this section with—

(A) the Secretary of Agriculture or of the Interior, as appropriate;

(B) the Director of the Bureau of Indian Affairs; and

(C) the Director of the United States Fish and Wildlife Service.

(2) PURPOSE.—The purpose of the memorandum of understanding under paragraph (1) is to coordinate and expedite permitting decisions for broadband projects.

(3) STATE OR TRIBAL PARTICIPATION.—The Secretary concerned may request that the Governor of any State or the officer designated by the governing body of the Indian Tribe with one or more broadband projects be a party to the memorandum of understanding under paragraph (1).

(4) DESIGNATION OF QUALIFIED STAFF.—

(A) IN GENERAL.—Not later than 30 days after the date of entrance into the memorandum of understanding under paragraph (1), the head of each Federal agency that is a party to the memorandum of understanding (other than the Secretary concerned) may, if the head of the Federal agency determines it to be appropriate, designate to each State or regional office an employee of that Federal agency with expertise in regulatory issues relating to that Federal agency, including, as applicable, particular expertise in—

(i) planning under the Forest and Rangeland Renewable Resources Planning Act of 1974 (16 U.S.C. 1600 et seq.) and planning under the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1701 et seq.);

(ii) the preparation of analyses under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.); or

(iii) consultation and the preparation of biological opinions under section 7 of the Endangered Species Act of 1973 (16 U.S.C. 1536).

(B) DUTIES.—Each employee designated under subparagraph (A) shall—

(i) be responsible for any issue relating to any broadband project within the jurisdiction of the State or regional office under the authority of the Federal agency from which the employee is assigned;

(ii) participate as part of the team of personnel working on one or more proposed broadband projects, including planning and environmental analyses; and

(iii) serve as the designated point of contact with any applicable State or Indian Tribe that assumes any responsibility under section 41303(b)(1) relating to any issue described in clause (i).

#### SEC. 41305. EFFECT.

(a) IN GENERAL.—Nothing in this title or a memorandum of understanding entered into under section 41303 terminates, waives, modifies, or reduces the trust responsibility of the United States to Indian Tribes or individual Indians.

(b) REQUIREMENT.—In carrying out this title, the Secretary concerned shall act in good faith in upholding the trust responsibility of the United States to Indian Tribes or individual Indians.

**SA 2418.** Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2637, line 15, strike “\$47,272,000,000” and insert “\$55,772,000,000”.

On page 2637, line 18, strike “\$9,454,400,000” and insert “\$11,154,400,000”.

On page 2637, line 20, strike “\$9,454,400,000” and insert “\$11,154,400,000”.

On page 2637, line 22, strike “\$9,454,400,000” and insert “\$11,154,400,000”.

On page 2637, line 24, strike “\$9,454,400,000” and insert “\$11,154,400,000”.

On page 2638, line 1, strike “\$9,454,400,000” and insert “\$11,154,400,000”.

On page 2639, line 6, strike “\$27,500,000,000” and insert “\$36,000,000,000”.

On page 2681, line 5, strike “\$36,000,000,000” and insert “\$27,500,000,000”.

**SA 2419.** Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 pro-

posed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2465, line 7, strike “\$2,000,000,000” and insert “\$5,000,000,000”.

On page 2465, line 13, strike “\$1,926,000,000” and insert “\$4,926,000,000”.

On page 2619, line 25, strike “\$12,500,000,000” and insert “\$14,000,000,000”.

On page 2620, line 4, strike “\$7,500,000,000” and insert “\$9,000,000,000”.

On page 2620, line 7, strike “\$1,000,000,000” and insert “\$1,100,000,000”.

On page 2620, line 9, strike “\$1,000,000,000” and insert “\$1,100,000,000”.

On page, line 11, strike “\$1,000,000,000” and insert “\$1,100,000,000”.

On page 2620, line 13, strike “\$1,000,000,000” and insert “\$1,100,000,000”.

On page 2620, line 15, strike “\$1,000,000,000” and insert “\$1,100,000,000”.

On page 2620, line 19, strike “\$1,500,000,000” and insert “\$1,700,000,000”.

On page 2620, line 21, strike “\$1,500,000,000” and insert “\$1,700,000,000”.

On page 2620, line 23, strike “\$1,500,000,000” and insert “\$1,700,000,000”.

On page 2620, line 25, strike “\$1,500,000,000” and insert “\$1,700,000,000”.

On page 2621, line 2, strike “\$1,500,000,000” and insert “\$1,700,000,000”.

On page 2637, line 15, strike “\$47,272,000,000” and insert “\$48,772,000,000”.

On page 2637, line 18, strike “\$9,454,400,000” and insert “\$9,754,400,000”.

On page 2637, line 20, strike “\$9,454,400,000” and insert “\$9,754,400,000”.

On page 2637, line 22, strike “\$9,454,400,000” and insert “\$9,754,400,000”.

On page 2637, line 24, strike “\$9,454,400,000” and insert “\$9,754,400,000”.

On page 2638, line 1, strike “\$9,454,400,000” and insert “\$9,754,400,000”.

On page 2657, line 3, strike “\$9,235,000,000” and insert “\$10,735,000,000”.

Beginning on page 2672, strike line 5 and all that follows through page 2675, line 21.

**SA 2420.** Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2619, line 25, strike “\$12,500,000,000” and insert “\$20,500,000,000”.

On page 2620, line 4, strike “\$7,500,000,000” and insert “\$15,500,000,000”.

On page 2620, line 7, strike “\$1,000,000,000” and insert “\$1,500,000,000”.

On page 2620, line 9, strike “\$1,000,000,000” and insert “\$1,500,000,000”.

On page 2620, line 11, strike “\$1,000,000,000” and insert “\$1,500,000,000”.

On page 2620, line 13, strike “\$1,000,000,000” and insert “\$1,500,000,000”.

On page 2620, line 15, strike “\$1,000,000,000” and insert “\$1,500,000,000”.

On page 2620, line 19, strike “\$1,500,000,000” and insert “\$2,600,000,000”.

On page 2620, line 21, strike “\$1,500,000,000” and insert “\$2,600,000,000”.

On page 2620, line 23, strike “\$1,500,000,000” and insert “\$2,600,000,000”.

On page 2620, line 25, strike “\$1,500,000,000” and insert “\$2,600,000,000”.

On page 2621, line 2, strike “\$1,500,000,000” and insert “\$2,600,000,000”.

On page 2676, line 6, strike “\$16,000,000,000” and insert “\$8,000,000,000”.

On page 2676, line 9, strike “\$3,200,000,000” and insert “\$1,600,000,000”.

On page 2676, line 11, strike “\$3,200,000,000” and insert “\$1,600,000,000”.

On page 2676, line 12, strike “\$3,200,000,000” and insert “\$1,600,000,000”.

On page 2676, line 14, strike “\$3,200,000,000” and insert “\$1,600,000,000”.

On page 2676, line 16, strike “\$3,200,000,000” and insert “\$1,600,000,000”.

**SA 2421.** Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2022, line 15, strike “\$42,450,000,000” and insert “\$47,450,000,000”.

On page 2025, strike lines 1 through 8 and insert the following:

(A) except as provided in subparagraphs (B) and (C) of this paragraph, \$200,000,000 shall be allocated to each State;

(B) \$100,000,000 shall be allocated to each of the District of Columbia and the Commonwealth of Puerto Rico; and

(C) \$100,000,000 shall be allocated to, and divided equally among, the United States Virgin Islands, Guam, American Samoa, and the Commonwealth of the Northern Mariana Islands.

On page 2470, line 10, strike “\$42,450,000,000” and insert “\$47,450,000,000”.

On page 2681, line 5, strike “\$36,000,000,000” and insert “\$31,000,000,000”.

On page 2681, line 7, strike “\$7,200,000,000” and insert “\$6,200,000,000”.

On page 2681, line 9, strike “\$7,200,000,000” and insert “\$6,200,000,000”.

On page 2681, line 11, strike “\$7,200,000,000” and insert “\$6,200,000,000”.

On page 2681, line 12, strike “\$7,200,000,000” and insert “\$6,200,000,000”.

On page 2681, line 14, strike “\$7,200,000,000” and insert “\$6,200,000,000”.

On page 2681, line 18, strike “\$24,000,000,000” and insert “\$20,666,666,667”.

**SA 2422.** Mr. TUBERVILLE submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2465, line 7, strike “\$2,000,000,000” and insert “\$4,000,000,000”.

On page 2465, line 13, strike “\$1,926,000,000” and insert “\$3,926,000,000”.

On page 2683, line 20, strike “\$10,250,000,000” and insert “\$8,250,000,000”.

On page 2683, line 21, strike “\$2,050,000,000” and insert “\$1,650,000,000”.

On page 2683, line 23, strike “\$2,050,000,000” and insert “\$1,650,000,000”.

On page 2683, line 25, strike “\$2,050,000,000” and insert “\$1,650,000,000”.

On page 2684, line 1, strike “\$2,050,000,000” and insert “\$1,650,000,000”.

On page 2684, line 3, strike “\$2,050,000,000” and insert “\$1,650,000,000”.

**SA 2423.** Mr. RISCH (for himself, Mrs. FEINSTEIN, and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 1848, line 7, strike “2,000” and insert “5”.

**SA 2424.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. FUNDING ALLOCATIONS.

Notwithstanding any other provision of law—

(1) in the case of any amounts made available under any division of this Act, including an amendment made by any division of this Act, that are apportioned to States by formula, the amounts shall be apportioned to States on a per capita basis using the most up to date estimates from the Bureau of the Census; and

(2) in the case of any amounts made available under any division of this Act, including an amendment made by any division of this Act, that are made available to States and other entities through discretionary grants and other financial assistance, in providing those amounts, the applicable head of the Federal agency shall apportion those amounts on the State per capita basis referred to in paragraph (1).

**SA 2425.** Mr. SCOTT of Florida submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs,

and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division I, insert the following:

#### SEC. 9 \_\_\_\_\_. REQUIREMENT FOR THE REALIZATION OF REVENUE.

Notwithstanding any other provision of any division of this Act—

(1) the total amount made available under this Act, including amendments made by a division of this Act, may not exceed the total amount of revenue collected or realized under this division and division H (including amendments made by those divisions); and

(2) the amounts made available under this Act, including amendments made by a division of this Act, shall be reduced proportionally based on the amount of revenue collected or realized as described in paragraph (1).

**SA 2426.** Mr. RUBIO (for himself and Mr. KELLY) submitted an amendment intended to be proposed to amendment SA 2137 proposed by Mr. SCHUMER (for Ms. SINEMA (for herself, Mr. PORTMAN, Mr. MANCHIN, Mr. CASSIDY, Mrs. SHAHEEN, Ms. COLLINS, Mr. TESTER, Ms. MURKOWSKI, Mr. WARNER, and Mr. ROMNEY)) to the bill H.R. 3684, to authorize funds for Federal-aid highways, highway safety programs, and transit programs, and for other purposes; which was ordered to lie on the table; as follows:

On page 2010, line 6, insert “pursuant to section 516(b)(1)” after “assessment”.

On page 2010, line 11, insert “pursuant to section 516(b)(1)” after “assessment”.

On page 2010, line 14, insert “to the Administrator” after “appropriated”.

On page 2010, strike line 16 and insert the following: available until expended.

“(c) FUNDING.—Each fiscal year, a State may reserve up to 0.5 percent of the sums allotted to the State under this title for the fiscal year to carry out activities under section 516(b)(1)(B).”

On page 2014, between lines 10 and 11, insert the following:

#### SEC. 502 \_\_\_\_\_. REPORTS TO CONGRESS.

Section 516(b)(1) of the Federal Water Pollution Control Act (33 U.S.C. 1375(b)(1)) is amended by striking “(B) a detailed estimate, biennially revised, of the cost of construction of all needed publicly owned treatment works in all of the States and of the cost of construction of all needed publicly owned treatment works in each of the States;” and inserting “(B) a detailed estimate, biennially revised, of the cost of construction of all planned publicly owned treatment works in all of the States and all needed publicly owned treatment works in all of the States, and the cost of construction of all planned publicly owned treatment works in each of the States and all needed publicly owned treatment works in each of the States, which shall include (i) the cost of construction to rehabilitate or upgrade all existing publicly owned treatment works (excluding any pipe or other device or system for the conveyance of wastewater), every 20 years, including the costs to implement measures necessary to address the resilience and sustainability of publicly owned treatment works to manmade or natural disasters and (ii) the cost of construction to replace 10 percent of existing publicly owned pipes and other devices and systems for the conveyance of wastewater to such treatment works over the 20-year period following the date of the estimate;”.